**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.510 OF 2007

Mrs.Ayesha Jackie Shroff. ..Applicant.
Versus

1.State of Maharashtra, &
2.Mr.Pramanand B. Thakur. ..Respondents.

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Mr.Sanjay Mishra, Adv. & Mrs.Santosh Mishra, Adv. i/b. Sanjay Associates for the Applicant.
Mr.Ram U. Singh, Adv. for Respondent No.2
Mrs.A.S.Pai, APP, for Respondent No.1-State.

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**CORAM : SMT.V.K.TAHILRAMANI,J.**
**DATED : OCTOBER 25, 2007.**

P.C.:

1. Heard the learned Advocate for the applicant-orig.accused, the learned Advocate for Respondent No.2-orig.complainant and the learned APP for the State.

2. The applicant is seeking quashing of process issued by the learned M.M., IXth Court at Bandra, Mumbai in C.C.No.744/SS/2005. In the said case process is issued under Section 292 of IPC r/w. 4 & 6 of the Indecent Representation of Women’s (Prohibition) Act, 1986.

3. For the reasons recorded in the decision of this Court in the case of **V.K.Jain and others Vs. Pratap V. Padode, reported in 2005(3) Mh.L.J.778,** which has been upheld by the Hon'ble Apex Court, I am of the opinion that the applicant has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicant prefers a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicant to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the applicant makes a statement that the necessary revision will be preferred within six weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of six weeks from today.

5. The learned advocate for respondent No.2-orig.complainant fairly states that no

objection will be raised in respect of delay, if any, in filing the revision.

6. On the necessary revision being preferred by the applicant before the concerned Sessions Court, the concerned Sessions Court after hearing necessary parties shall condone the delay if any and dispose of the matter on merits. All contentions of both sides on merits are kept open.

7. Criminal Application is disposed of accordingly.

**(SMT.V.K.TAHILRAMANI,J.)**